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May 28, 2024

**VIA ECF**

Pamela K. Chen, U.S.D.J.  
United States District Court, Eastern District of New York  
225 Cadman Plaza East, Courtroom 4F North  
Brooklyn, New York 11201-1804

Re: *IME Watchdog, Inc. v. Gelardi, et al.*  
Case No.: 1:22-cv-1032 (PKC)(JRC)

Dear Judge Chen:

I do not understand the purpose of plaintiff's attorneys' letter to the Court regarding the alleged failure (copies of the subpoenas and proof of service have not been submitted) by certain non-party witnesses to produce subpoenaed documents in advance of the hearing inasmuch as these witnesses are all "non-parties" over whom Defendants have no control.

But I note that plaintiff has not provided defendants with any subpoenaed documents in advance of tomorrow's hearing and that plaintiff's exhibit list does not include any subpoenaed documents. Defendants will object to the admission of any documents which plaintiff has failed to produce in advance of the hearing and which plaintiff failed to identify in its exhibits list.

Respectfully,

*/s/ Jonathon D. Warner*

JDW/ks

cc: All counsel (via ECF)